

KENTUCKY BOARD OF SOCIAL WORK
MINUTES OF THE BOARD OF DIRECTORS' MEETING
October 6, 2015

A regular meeting of the Kentucky Board of Social Work was held on Tuesday, October 6, 2015 at the board office located at 44 Fountain Place, Frankfort KY 40601.

MEMBERS PRESENT

Bill Adcock, LCSW
Jay Davidson, LCSW
Janice James, LCSW
Dr. Jay Miller, CSW
Sharon Sanders, LCSW
Hilma Prather, Public Member

OTHERS PRESENT

Brian Judy, Asst. Atty. Gen, Board Counsel

GUESTS:

Melissa Johnson, NASW Kentucky Chapter President
Cheryl Miller Tivitt, LCSW

BOARD STAFF PRESENT

Florence Huffman, Ex. Dir.
Molly Bode, MSSW Intern

CALL TO ORDER

Bill Adcock, Board Chair, called to order the regular meeting of the board at 11:20 a.m.

APPROVAL OF MINUTES

A motion was made by Mr. Davidson to approve the minutes of August 4, 2015 as presented. Seconded by Dr. Miller, motion carried.

EXECUTIVE DIRECTOR'S REPORT

- a. Operations Report- Ms. Huffman thanked the board for their continuing support. She complimented Lindsay Redman and Molly Bode for their excellent work and assistance. She reported in September 2015 that:
 - 240 payment items were received in the office
 - Applications received for the ASWB national exam: 62 total
 - i. Applications approved: 59 total (Clinical exam: 37; Masters exam: 15; Bachelors exam: 7)
 - ii. Initial licenses issued: 51 total (LSW: 4; CSW: 31; LCSW: 16)
 - 45 Supervision contracts were approved; 39 contracts were deferred due to missing documents particularly job descriptions; weak clinical job description, lack of required signatures, or other issues with completing the Plan of Clinical Social Work Activities within the contract.
 - 14 Reinstatements
 - 34 Renewals (does not include online renewals – getting report from Kentucky Interactive)
 - Temporary Permits: 2 clinical permits approved
- b. ASWB
 - Florence Huffman will attending a meeting of the ASWB Mobility Task Force on Nov. 3, 2015 (all expenses paid by ASWB due to participation on task force)
 - 2015 Delegate Assembly: Ft. Lauderdale, FL, November 5-7, 2015: Board Member Janice James will be attending as the delegate from Ky.; Florence Huffman will be attending as the alternate.

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FINANCIAL REPORT-Florence Huffman, ED

- a. Biennium Budget FY16-18 due to State Budget Office on October 30, 2015:
 - Ms. Huffman stated her sincere appreciation for the work of Lindsay Redman, and the staff's appreciation for Budget Analysts Kara Smotherman and Thomas Clark in budget preparation
 - Action Item: Vote on Total Budget amount of \$330,000
 - On motion of Jay Davidson, second by Dr. Miller, motion carried to approve \$330,000.
- b. Report of Expenditures and Revenues (August and September 2015)
 - Sum of Revenues:
 - August 2015: \$28,512
 - September 2015: \$29,725
 - Sum of Expenditures:
 - August 2015: \$19,580
 - September 2015: \$17,038
- c. Update on Appropriation Increase for FY16: \$46,700 approved and included in \$330,000
- d. Adjusted Budget Request: \$75,000
- e. Action Item: Vote on Adjusted Budget Request: \$75,000
 - On motion of Ms. Prather, second by Ms. Sanders, motion carried.
- f. Travel and Per Diem Bill Adcock, Chair
 - Action Item: Vote to approve board members' travel and per diem
 - On motion of Ms. Sanders, second by Dr. Miller, motion carried.

COMMITTEE REPORTS

- a. **Complaint Review, Janice James, LCSW and Bill Adcock, LCSW**
 - **2014-021**: LCSW practiced after license expired due to failure to complete continuing education hours within extended time period granted by the board; committee recommended Agreed Order by settlement with Licensee: revocation of license probated for a period of one (1) year during which time LCSW may continue to practice clinical social work; complete 30 hours of continuing education within six months of agreement; successfully pass the ASWB Clinical exam; under supervision with an approved LCSW supervisor meeting for two (2) hours every two weeks for a period of one (1) year. On second by Jay Davidson, motion carried to approve the recommended discipline.
 - **2014-030**: LCSW violated prohibition against dual relationship with client – hired client as an employee through Vocational Rehabilitation and rented an apartment to client. The committee recommended an agreed order to be prepared by Brian Judy and submitted to LCSW.
 - **2015-007-A**: CSW failed to comply with supervision requirements. Committee recommended that CSW take an individual face-to-face social work ethics course approved by the board. On second by Jay Davidson, the motion carried to approve the recommended discipline. This will not be a reportable action.
 - **2015-007-B**: LCSW supervisor for the CSW in companion Case No. 2015-007-A failed to comply with supervision requirements. Committee recommended that LCSW take an individual face-to-face supervision course approved by the board. This will not be a reportable action. On second by Sharon Sanders, the motion carried to approve the recommended discipline.
 - **2015-013**: Recommendation of committee that complaint be dismissed (based upon primary allegation that LCSW misdiagnosed parent in a Family Custody Evaluation ordered by the Family Court Judge). On motion of Jay Davidson, the motion carried to dismiss the complaint.

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b. Application Review: Jay P. Davidson, LCSW, and Sharon Sanders, LCSW

- Sharon Sanders stated that the committee understood the difficulty board staff has been having in comparing the “official” job description submitted with the contract versus the statements made in Section A of the Plan of Clinical Activities in the Supervision Contract. The committee concluded that the description of the clinical services being provided by the CSW is governed by the Contract. Many “official” job descriptions are created by Human Resources Departments and may not exactly match and are not easily modified.
- c. Supervision: Justin Miller, Ph.D., CSW; Sally Rhoads, LCSW; Jay Davidson, LCSW
 - No report for today’s meeting
- d. Continuing Education: Justin Miller, Ph.D. and Hilma Prather
 - No report for today’s meeting

OLD BUSINESS

Bill Adcock, Chair

- e. Amendments to **Supervision** regulation: 201 KAR 23:070
 - Report from Brian Judy on status and next steps
 - Contract form revisions – executive committee to approve final version
- f. Amendments to **Continuing Education** regulation: 201 KAR 23:075
 - Suicide Prevention Training, SW Ethics course online, and no restriction on online courses
 - Continue requirement that LCSW Supervision course must be in person, face-to-face
 - Action Item: Vote

On motion of Mr. Davidson, seconded by Ms. Prather, the motion carried to approve the amendments.
- g. Amendments to **Renewal / Reinstatement** regulation: 201 KAR 23:050
 - Action Item: Vote tabled to next meeting to discuss inactive / retired status
- h. Personnel (executive session): Ms. Prather moved to go into executive session pursuant to KRS 61.810(1(f), seconded by Mr. Davidson, motion carried.
 - New non-merit permanent full-time employee position
 - Action Items: Vote
 - On motion of Ms. James, seconded by Ms. Davidson, the board unanimously approved the following:
 - i. Position title: Administrative Specialist (permanent full-time)
 - ii. Salary range: \$32,000 – 42,000; Grade Level 13
 - On motion of Ms. Prather, seconded by Ms. Sanders, the board unanimously approved the executive director to post the position through the Personnel Cabinet immediately
 - On motion of Ms. Prather, seconded by Dr. Miller, motion carried to go back into open meeting.

NEW BUSINESS

Bill Adcock, Chair

- i. Exemptions for licensure codified in KRS 335.010
 - Section 7: interpretation of amnesty period for employees of 501(c)(3) organizations

After discussion, the board members agreed that employees of tax-exempt 501(c)(3) organizations who have a BSW or MSSW and who not practice clinical social work do not have to be licensed. The amnesty period established in Section 7 applies to clinical social workers who must be licensed.

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j. Policies and Procedures

Florence Huffman, ED

- Question: What are the requirements for continuing education courses needed for reinstatement?
 - Applicants for reinstatement must adhere to the continuing education requirements for licensure renewal as established in 201 KAR 23:075.

Question: Applications over one-year old – how should staff proceed if an applicant wants to reapply to take the exam and get licensed?

- The past practice has been to ask for a new application and \$25 review fee due to the ASWB one-year deadline – Brian Judy has advised this practice is not supported by the regulation, which has no deadline for applications.
- Action Item: Vote on change in application procedure to add deadline
 - a. On motion of Ms. Prather, seconded by Ms. James, the board unanimously voted to amend the relevant regulation to establish that applications will expire after one (1) year.
- Question: Licensees are required to inform the board of name / address changes *in writing*:
 - Can the request form be scanned and emailed to staff (*not mailed*) – then staff will upload the form to the licensee's database record?
 - Yes, the licensee may complete the name / address change form and email it to the board staff.

k. Request for refund of \$100 license fee by John Setzer (contesting \$100 penalty fee)

- Action Item: Vote on policy and refund: if the renewal application form and payment is postmarked prior to expiration but not received in the office until past the expiration date, is this considered late and do we charge the penalty fee?
- On motion of Ms. James, seconded by Mr. Davidson, the board unanimously approved:
 - 1) the policy that the renewal application is considered timely filed if it is postmarked prior to the date of expiration and no penalty fee should be charged, and
 - 2) the refund for John Setzer.

(It is noted that Dr. Miller and Ms. James left the meeting at 1:40pm.)

ADJOURN

There being no further business to come before the Board, the meeting adjourned at 2:10 p.m.

NEXT MEETING: November 17, 2015, 44 Fountain Place, Frankfort, KY 40601

Approved:



William M. Adcock, Chair